



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 28, 2020

BY ECF and EMAIL

The Honorable Victor Marrero
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

**USDC SDNY
DOCUMENT
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DATE FILED: May 29, 2020**

Re: United States v. Barry Connell, 17 Cr. 116 (VM)

Dear Judge Marrero:


The Government writes with respect to the restitution deadline in the above-referenced case. At the defendant's sentencing, the Court made clear that it would order restitution, and directed the Government to submit a proposed restitution order by April 30, 2020. (*See* Dkt. 66 at 7-8). On April 29, 2020, the Court granted the parties' request for an extension of the restitution deadline to June 1, 2020. (Dkt. 68). The Government and defense counsel are attempting to work toward a consent restitution order but have been delayed due to the COVID-19 pandemic. In addition, the process has been delayed by defense counsel's health issues. The Government accordingly requests a second extension of the restitution deadline until July 1, 2020. *See Dolan v. United States*, 560 U.S. 605, 608 (2010) (court "retains the power to order restitution" after the 90-day deadline set forth in 18 U.S.C. § 3664(d)(5)); *United States v. Gushlak*, 728 F.3d 184, 191 (2d Cir. 2013) (same); *United States v. Pickett*, 612 F.3d 147, 149 (2d Cir. 2010) (same). Defense counsel consents to this request.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: /s/ Won S. Shin
Won S. Shin
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cc: Jesse M. Siegel, Esq.

The request for extension is granted.
SO ORDERED.
May 29, 2020
DATE

VICTOR MARRERO, U.S.D.J.